

AN ORDINANCE

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04-0-0475

BY COUNCIL MEMBER

**AN ORDINANCE TO REVISE ATLANTA CITY CODE SECTION 98-51
REGARDING THE OATH OF OFFICE FOR POLICE OFFICERS AND SPECIAL
POLICE OFFICERS; TO REPEAL CONFLICTING ORDINANCES; AND FOR
OTHER PURPOSES.**

WHEREAS, Official Code of Georgia Section 45-3-1 requires that every public officer shall take the oath of office; take any oath prescribed by the Constitution of Georgia; swear that he or she is not the holder of any unaccounted for public money due this state or any political subdivision or authority thereof; swear that he or she is not the holder of any office of trust under the government of the United States, any other state, or any foreign state which he or she is by the laws of the State of Georgia prohibited from holding; swear that he or she is otherwise qualified to hold said office according to the Constitution and laws of Georgia; swear that he or she will support the Constitution of the United States and of this state; and if elected by any circuit or district, swear that he or she has been a resident thereof for the time required by the Constitution and laws of this state; and

WHEREAS, Atlanta City Code Section 98-51 prescribes that the police chief or the chief's designee is authorized, in accordance with Georgia law, to administer the oath of office to all sworn police officers and special police officers employed by the City of Atlanta, and specifies the form of that oath; and

WHEREAS, the Commission on Accreditation for Law Enforcement Agencies Standard 1.1.1 requires all personnel, prior to assuming sworn status, to take and subsequently abide by an oath of office to enforce the law and uphold the nation's constitution or basic law of the land and, where applicable, those of governmental subdivisions; and

WHEREAS, the Commission on Accreditation for Law Enforcement Agencies Standard 1.1.2 requires all sworn officers to abide by a code or canon of ethics adopted by the agency.

**NOW, THEREFORE, BE AND IT IS HEREBY ORDAINED BY THE COUNCIL
OF ATLANTA, GEORGIA**, as follows:

SECTION 1. That Section 98-51 (entitled "Authorization for the chief of police to administer oath of office for sworn police officers") is hereby deleted in its entirety and replaced by a new section 98-51, which shall read:

The police chief or the chief's designee is authorized, in accordance with Georgia law, to administer the oath of office to all sworn police officers and special police officers employed by the City of Atlanta. When taken, the officer shall sign the official oath and copies thereof shall be filed with the Fulton county Probate court

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and in the personnel records of the officer so sworn. That oath shall take the following form:

I, _____, do solemnly swear (or affirm) that I am duly qualified, according to the Constitution and laws of Georgia, to perform the duties imposed upon me as a Police Officer (or Special Police Officer) of the City of Atlanta, Georgia, and that I will, to the best of my ability, discharge the duties thereof, and preserve, protect, and defend the Constitution of the United States of America and the Constitution of the State of Georgia.

I swear that I am not the holder of any office of trust under the government of the United States, any other state, or any foreign state which I am prohibited from holding by the laws of the State of Georgia, nor am I the holder of any unaccounted for public money due this state or any political subdivision or authority thereof.

I further swear that I will enforce the criminal laws of the State of Georgia and the ordinances of the City of Atlanta, abide by the rules and standard operating procedures governing the Atlanta Police Department, adhere to the Law Enforcement Code of Ethics published by the International Association of Chiefs of Police, and uphold the Ethics Code of the City of Atlanta. In doing so, I will be mindful of the trust that has been placed in me to improve the quality of life and make every effort to live up to that trust. I will not persecute the innocent, nor help to shield the guilty, nor will I be influenced in the discharge of my duties by fear, favor, or affection, reward, or the hope thereof.

So help me God.

SECTION 2. That all ordinances or parts of ordinances in conflict herewith are hereby rescinded.

TRANSMITTAL FORM FOR LEGISLATION

To Mayor's Office: Greg Pridgeon

(for review and distribution to Executive Management)

Chief of Police Signature: [Signature]

Deputy Chief Signature: [Signature]

From: Originating Dept.: POLICE

Contact (Name): Richard Clarke 404-817-6881

Committee(s) of Purview: PUBLIC SAFETY/LEGAL

Committee Deadline: March 8, 2004

Committee Meeting Dates: March 23-24, 2004

City Council Meeting Date: April 19, 2004

CAPTION: An ordinance to revise Atlanta City Code Section 98-51 regarding the oath of office for police officers and special police officers; to repeal conflicting ordinances; and for other purposes.

BACKGROUND/PURPOSE/DISCUSSION: This change is required to meet an accreditation standard.

FINANCIAL IMPACT (if any):
NONE.

PERSONNEL IMPACT:
NONE.

Mayor's Staff Only

Received by Mayor's Office (Date): 3.4.04 [Signature]

Reviewed (Initials): [Signature]

Date:

Action by Committee:

☐ APPROVED ☐ ADVERSE ☐ HELD ☐ AMENDED
☐ SUBSTITUTE ☐ REFERRED ☐ OTHER